## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO. 5:11-CT-3045-FL

DAVID RICHARDSON,	)	
Plaintiff,	)	
	)	
V.	)	
	) ORDEI	<u> </u>
	)	
OFFICER BOSTICK, SGT. BELL,	)	
OFFICER WHEELER, OFFICER	)	
BEAMON, OFFICER ANDERSON,	)	
CAPT. BECK,	)	
Defendants.	)	
	)	

This cause comes before the Court upon a motion filed pro se by Plaintiff in letter form, in which he complains about the quality of his legal representation and seeks to amend his complaint. (DE-18). The undersigned held an ex parte hearing on Plaintiff's motion and informed him that unless and until he discharges his attorney, he may not file pro se motions with this Court. Plaintiff indicated he would retain his counsel. The undersigned further informed Plaintiff that under Rule 3.1 of the North Carolina State Bar Rules of Professional Conduct, an attorney may not pursue a frivolous claim, and that Plaintiff's attorney was entitled to exercise his professional judgment in determining which of Plaintiff's claims have legal merit. As Plaintiff is represented by counsel, who has not adopted Plaintiff's motion to amend the complaint, Plaintiff's motion to amend the complaint, Plaintiff's motion to amend the complaint, DE-18) is DENIED.

DONE AND ORDERED in Chambers at Raleigh, North Carolina this 8<sup>th</sup> day of February, 2012.

WILLIAM A. WEBB

UNITED STATES MAGISTRATE JUDGE